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EXAMINER	
BANTAMOI, ANTHONY	
ART UNIT	PAPER NUMBER
2423	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/637,625	HUI ET AL.	
	Examiner	Art Unit	
	ANTHONY BANTAMOI	2423	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *24 February 2010*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18 and 22-33* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18 and 22-33* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 02/24/2010 have been fully considered but they are not persuasive. With respect to claim 1, Applicant argues that Lemmons fails to teach a visual element attribute that defines a visual representation of a visual cue, a spatial element attribute that defines spatial characteristics of the visual cue, and a temporal dement attribute that defines temporal characteristics of the visual cue (See Remarks on pg. 15, second paragraph).

Examiner maintains that Lemmons teaches XML element tags with corresponding element attributes, wherein the attributes define the size of the element, location of the element relative to the display and inherently temporal attributes of the element. Specifically col. 3, ll. 25-28 teaches mark up language document 300 is in XML and col. 9, ll. 11-18 XML element tags and attributes, wherein the attributes define the size of the element, location of the element relative to the display, The temporal `characteristics is inherent because in col. 8, ll. 15-18 the text window 54 provides subscription information for the promotional video in window 50 there has to be timing information of the promotional information relative to the video itself. Therefore Lemmons teaches a visual element attribute that defines a visual representation of a visual cue, a spatial element attribute that defines spatial characteristics of the visual cue, and a temporal dement attribute that defines temporal characteristics of the visual cue (text window 54 meets “visual cue").

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-18, and 26-29 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The Broadest reasonable interpretation of computer readable memory medium includes signals and carrier waves since the specification does not specifically define the computer readable memory medium in claims 1-18, and 26-29. By the broadest reasonable interpretation the computer readable memory medium of claims 1-18, and 26-29 are signals or carrier waves which renders the claims non statutory. On the other hand, a non transitory computer readable memory medium excludes signals and carrier waves.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over W3C Working Draft 09-November-1997 to Bugaj et al. (Bugaj) (previously cited), in view of US Patent 6,442,755 to Lemmons et al. (Lemmons), in view of US Patent 6,615,408 to Kaiser et al. (Kaiser).

Regarding claim 1, Bugaj teaches an SMIL (synchronized media integration language) for integrating a set of independent multimedia objects into a synchronized multimedia presentation such as slide show synchronized with audio comments or a video synchronized with text stream wherein SMIL is an XML-based language (section 2. ll. 1-4, & section 3 ll. 1); further Bugaj teaches the general syntax of a SMIL document comprising a header and a body wherein both parts contain elements and attributes (section 4) which reads on "an XML-based stored in a computer-readable medium for encoding a visual cue for visual component of a multimedia presentation, wherein the XML-based element is structured for use by a computer to display the multimedia presentation including the visual component and the visual cue on a display surface of the computer, wherein the XML-based -element comprises".

Bugaj teaches a layout section of a SMIL document including alternative layout elements embedded in a switch element used to determine the placement of the presentation (section 5, General Semantics, ll. 1-6), however, Bugaj is silent on a visual element attribute that defines a visual representation of the visual cue; a spatial element attribute that defines spatial characteristics of the visual cue; and a temporal element attribute that defines temporal characteristics of the visual cue, wherein the and spatial characteristics of the visual cue are defined relative to temporal and spatial characteristics of the associated visual component, and wherein the computer superimposes a display of the visual associated cue on the display of the computer over the visual component in the multimedia presentation using a visual appearance which is based on the visual representation of the visual cue as defined in the visual element

attribute that defines visual representation of the visual cue, during a period of time which is based on the temporal characteristics of the visual cue as defined in the temporal element attribute that defines temporal characteristics of the visual cue, and at a location over the associated visual element which is based on the spatial characteristics of the visual cue as defined in the spatial element attribute that defines spatial characteristics of the visual cue.

The examiner maintains that it was well known in the art to provide **"**a visual element attribute that defines a visual representation of the visual cue; a spatial element attribute that defines spatial characteristics of the visual cue; and a temporal element attribute that defines temporal characteristics of the visual cue, wherein the and spatial characteristics of the visual cue are defined relative to temporal and spatial characteristics of the associated visual component, and wherein the computer superimposes a display of the visual associated cue on the display of the computer over the visual component in the multimedia presentation using a visual appearance which is based on the visual representation of the visual cue as defined in the visual element attribute that defines visual representation of the visual cue, during a period of time which is based on the temporal characteristics of the visual cue as defined in the temporal element attribute that defines temporal characteristics of the visual cue, and at a location over the associated visual element which is based on the spatial characteristics of the visual cue as defined in the spatial element attribute that defines spatial characteristics of the visual cue**"**, as taught by Lemmons and Kaiser.

In a similar field of endeavor Lemmons teaches a visual element attribute that defines a visual representation of the visual cue; a spatial element attribute that defines spatial characteristics of the visual cue (col. 9, ll. 16-22); and a temporal element attribute that defines temporal characteristics of the visual cue (figure 6B (because the elements a synchronized temporal element attribute is inherent)), wherein the temporal and spatial characteristics of the visual cue are defined relative to temporal and spatial characteristics of the associated visual component (col. 9, ll. 16-22, & figure 6B), and wherein the computer (28) superimposes a display of the visual cue (54) on the display (36) of the computer (28) together with the visual component in the multimedia presentation (figure 6B), using a visual appearance which is based on the visual representation of the visual cue as defined in the visual element attribute that defines visual representation of the visual cue, during a period of time which is based on the temporal characteristics of the visual cue as defined in the temporal element attribute that defines temporal characteristics of the visual cue, and at a location over the associated visual element which is based on the spatial characteristics of the visual cue as defined in the spatial element attribute that defines spatial characteristics of the visual cue (col. 9, ll. 16-22, & figure 6B , & col. 8, ll. 58-67, & col. 9, ll. 1-34, & figure 7A).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bugaj by specifically providing "a visual element attribute that defines a visual representation of the visual cue; a spatial element attribute that defines spatial characteristics of the visual cue; and a temporal element attribute

that defines temporal characteristics of the visual cue, wherein the and spatial characteristics of the visual cue are defined relative to temporal and spatial characteristics of the associated visual component, and wherein the computer superimposes a display of the visual associated cue on the display of the computer together with the visual component in the multimedia presentation using a visual appearance which is based on the visual representation of the visual cue as defined in the visual element attribute that defines visual representation of the visual cue, during a period of time which is based on the temporal characteristics of the visual cue as defined in the temporal element attribute that defines temporal characteristics of the visual cue, and at a location over the associated visual element which is based on the spatial characteristics of the visual cue as defined in the spatial element attribute that defines spatial characteristics of the visual cue", as taught by Lemmons, for the purpose of providing interactive presentations wherein additional information on the presented media is available to user during the presentation.

Bugaj and Lemmons are silent on wherein the computer superimposes a display of the visual cue on the display of the computer over the visual component in the multimedia presentation.

Kaiser teaches wherein the computer superimposes a display of the visual cue on the display of the computer over the visual component in the multimedia presentation (figure 6D, label 6300, & 6600, & col. 11, ll. 20-26).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Bugaj and Lemmons to include wherein

the computer superimposes a display of the visual cue on the display of the computer together with the visual component in the multimedia presentation as taught by Kaiser in order to allow users to easily recognize the association between the interactive icon and the displayed video, thereby increasing the viewer's convenience (col. 1, ll. 49-55).

Regarding Claims 2 and 8, Bugaj teaches schedule elements including begin and end times wherein duration is defined as the difference between the end times and begin time of an element (section 6.1, General Semantics, ll. 3, & section 6.2 page 8, ll. 3) which meets "An XML-based element wherein the temporal characteristics include at least two of begin time, end time, and duration".

Regarding Claims 3 and 9, Bugaj teaches an image element tagged as an XML media object element (section 6.4, Syntax) which inherently meets "An XML-based element, wherein the visual representation includes color".

Regarding Claims 4 and 10, Bugaj teaches an image element (section 6.4, Syntax) which meets "An XML-based element, wherein .the visual representation includes shape".

Regarding Claims 5 and 11, Bugaj teaches a layout section of a SMIL document including alternative layout elements embedded in a switch element used to determine the placement of the presentation (section 5, General Semantics, lines 1-6) which meets "An XML-based element, wherein the spatial characteristics include position".

Regarding Claims 6 and 12, Bugaj teaches a smile document for the newscast presentation illustrated in figure 7.1 page 26 wherein the layout and temporal elements are controlled by their associated attributes in hierarchal order (section 7.4 page 27)

which meets “An XML-based element, wherein the XML-based element for the visual cue is nested within an XML- based element that defines the associated visual component”.

Regarding claims 7 and 13, Bugaj teaches a news broadcast on the web as shown in figure 7.1 to the left and right (section 7.4, page 26, lines 2-9) which meets "In an XML-based browser that displays synchronized multimedia presentations on a display of a computer to user a method for processing an XML-based element for visual cue associated with a visual component of the multimedia presentation comprising”

In addition Bugaj teaches an XML data structure holding the elements of the of the newscast scenario written in XML code comprising elements stored in tags wherein each element has its own properly defined attribute including spatial and temporal characteristics to perform a presentation (page 27) which meets “storing information from the XML-based element concerning the visual component to which the visual cue is associated, together with the information from the XML-based element concerning visual representation”.

Bugaj teaches a layout section of a SMIL document including alternative layout elements embedded in a switch element used to determine the placement of the presentation (section 5, General Semantics, lines 1-6), however, Bugaj is silent on spatial and temporal characteristics of the visual cue; and in synchronization with display of the visual component, displaying the visual cue with the visual representation specified, and in the spatial and temporal relationships specified by the spatial and temporal characteristics, wherein the defined temporal and spatial characteristics of the

visual cue are relative to temporal and spatial characteristics of the associated visual component, and wherein the display of the visual is superimposed over the associated visual component in the multimedia presentation with a visual appearance based on the defined visual representation of the visual cue, during a period of time based on the defined temporal characteristics of the visual cue, and at a location over the associated visual element based on the defined spatial characteristics of the visual cue.

The examiner maintains that it was well known in the art to provide "spatial and temporal characteristics of the visual cue; and in synchronization with display of the visual component, displaying the visual cue with the visual representation specified, and in the spatial and temporal relationships specified by the spatial and temporal characteristics, wherein the defined temporal and spatial characteristics of the visual cue are relative to temporal and spatial characteristics of the associated visual component, and wherein the display of the visual is superimposed over the associated visual component in the multimedia presentation with a visual appearance based on the defined visual representation of the visual cue, during a period of time based on the defined temporal characteristics of the visual cue, and at a location over the associated visual element based on the defined spatial characteristics of the visual cue", as taught by Lemmons and Kaiser.

In a similar field of endeavor Lemmons teaches a spatial and temporal characteristics of the visual cue; and in synchronization with display of the visual component, displaying the visual cue with the visual representation specified, and in the spatial and temporal relationships specified by the spatial and temporal characteristics,

wherein the defined temporal and spatial characteristics of the visual cue are relative to temporal and spatial characteristics of the associated visual component (col. 9, ll. 16-22, & col. 9, ll. 16-22, & figure 6B, elements); wherein the visual is superimposed together with the associated visual component in the multimedia presentation with a visual appearance based on the defined visual representation of the visual cue, during a period of time based on the defined temporal characteristics of the visual cue, and at a location over the associated visual element based on the defined spatial characteristics of the visual cue (col. 9, ll. 16-22, & figure 6B , & col. 8, ll. 58-67, & col. 9, ll. 1-34, & figure 7A).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bugaj by specifically providing "spatial and temporal characteristics of the visual cue; and in synchronization with display of the visual component, displaying the visual cue with the visual representation specified, and in the spatial and temporal relationships specified by the spatial and temporal characteristics, wherein the defined temporal and spatial characteristics of the visual cue are relative to temporal and spatial characteristics of the associated visual component, and wherein the display of the visual is superimposed together with the associated visual component in the multimedia presentation with a visual appearance based on the defined visual representation of the visual cue, during a period of time based on the defined temporal characteristics of the visual cue, and at a location over the associated visual element based on the defined spatial characteristics of the visual cue", as taught by Lemmons, for the purpose of providing interactive presentations

wherein additional information on the presented media is available to user during the presentation.

Bugaj and Lemmons are silent on wherein the display of the visual is superimposed over the associated visual component in the multimedia presentation with a visual appearance based on the defined visual representation of the visual cue.

Kaiser teaches wherein the display of the visual is superimposed over the associated visual component in the multimedia presentation with a visual appearance based on the defined visual representation of the visual cue (figure 6D, label 6300, & 6600, & col. 11, ll. 20-26).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Bugaj and Lemmons to include wherein the display of the visual is superimposed over the associated visual component in the multimedia presentation with a visual appearance based on the defined visual representation of the visual cue as taught by Kaiser in order to allow users to easily recognize the association between the interactive icon and the displayed video, thereby increasing the viewer's convenience (col. 1, ll. 49-55).

Regarding Claim 14, Bugaj teaches schedule elements with begin and end time wherein the duration is the difference between the end time and begin time of an element (section 6.1, General Semantics, line 3, & section 6.2 page 8, line 3) which meets "A computer-readable medium wherein the temporal characteristics include at least two of begin time, end time, and duration".

Regarding Claim 15, Bugaj teaches an image element tagged as an XML media object element (section 6.4, Syntax) which inherently meets “A computer-readable medium, wherein the visual representation includes color”.

Regarding Claim 16, Bugaj teaches an image attribute (section 6.4, Syntax) which meets “A computer-readable medium, wherein the visual representation includes shape”.

Regarding Claim 17, Bugaj teaches a layout section of a SMIL document including alternative layout elements embedded in a switch element used to determine the placement of the presentation (section 5, General Semantics, lines 1-6) which meets “A computer-readable medium, wherein the spatial characteristics include position”.

Regarding Claim 18, Bugaj teaches a SMIL document for the newscast presentation illustrated in figure 7.1 page 26 wherein the layout and temporal elements are controlled by their associated attributes in hierarchal order (section 7.4 page 27) which meets “A computer-readable medium, wherein the XML-based element for the visual cue is nested within an XML- based element that defines the associated visual component”.

Regarding claims 22 and 26, Bugaj teaches a news broadcast on the web as shown in figure 7.1 to the left and right (section 7.4, page 26, lines 2-9) which meets " A method for displaying a synchronized multimedia presentation on a display screen of a computer executing an XML-based browser, comprising”.

In addition Bugaj teaches an XML data structure holding the elements of the of the newscast scenario written in XML code comprising elements stored in tags wherein each element has its own properly defined attribute including spatial and temporal characteristics to perform a presentation (page 27) which meets “receiving XML-based data including an XM.L-based element for a visual cue together with an XM'L-based element for a visual component contained in the multimedia presentation, wherein the XML-based visual cue element is nested within the XML-based element for the associated visual component”.

Bugaj teaches a layout section of a SMIL document including alternative layout elements embedded in a switch element used to determine the placement of the presentation (section 5, General Semantics, lines 1-6), however, Bugaj is silent on wherein the XML- based visual cue element includes attributes that define temporal and spatial relativity between a display of the visual cue and a display of the multimedia component; and displaying the synchronized multimedia presentation including the visual cue superimposed over the multimedia component in a temporal and spatial relationship defined by the attributes of the XML-based visual cue element.

The examiner maintains that it was well known in the art to provide “wherein the XML-based visual cue element includes attributes that define temporal and spatial relativity between a display of the visual cote and a display of the multimedia component; and displaying the synchronized multimedia presentation including the visual cue superimposed over the multimedia component in a temporal and spatial

relationship defined by the attributes of the XML-based visual cue element", as taught by Lemmons and Kaiser.

In a similar field of endeavor Lemmons teaches wherein the XML-based visual cue element includes attributes that define temporal and spatial relativity between a display of the visual cote and a display of the multimedia component; and displaying the synchronized multimedia presentation including the visual cue superimposed together with the multimedia component in a temporal and spatial relationship defined by the attributes of the XML-based visual cue element (col. 9, ll. 16-22, & figure 6B , & col. 8, ll. 58-67, & col. 9, ll. 1-34, & figure 7A).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bugaj by specifically providing "wherein the XML-based visual cue element includes attributes that define temporal and spatial relativity between a display of the visual cote and a display of the multimedia component; and displaying the synchronized multimedia presentation including the visual cue superimposed together with the multimedia component in a temporal and spatial relationship defined by the attributes of the XML-based visual cue element", as taught by Lemmons, for the purpose of providing interactive presentations wherein additional information on the presented media is available to user during the presentation.

Bugaj and Lemmons are silent on displaying the synchronized multimedia presentation including the visual cue superimposed over the multimedia component.

Kaiser teaches displaying the synchronized multimedia presentation including the visual cue superimposed over the multimedia component (figure 6D, label 6300, & 6600, & col. 11, ll. 20-26).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Bugaj and Lemmons to include displaying the synchronized multimedia presentation including the visual cue superimposed over the multimedia component as taught by Kaiser in order to allow users to easily recognize the association between the interactive icon and the displayed video, thereby increasing the viewer's convenience (col. 1, ll. 49-55).

Regarding claims 23 and 27, Bugaj is silent on a visual element attribute that defines a visual representation of the visual cue; a spatial element attribute that defines spatial characteristics of the visual cue; and a temporal element attribute that defines temporal characteristics of the visual cue.

The examiner maintains that it was well known in the art to provide "a visual element attribute that defines a visual representation of the visual cue; a spatial element attribute that defines spatial characteristics of the visual cue; and a temporal element attribute that defines temporal characteristics of the visual cue", as taught by Lemmons.

In a similar field of endeavor Lemmons teaches a visual element attribute that defines a visual representation of the visual cue; a spatial element attribute that defines spatial characteristics of the visual cue (col. 9, ll. 16-22); and a temporal element attribute that defines temporal characteristics of the visual cue (figure 6B (because the elements a synchronized temporal element attribute is inherent)).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bugaj by specifically providing "a visual element attribute that defines a visual representation of the visual cue; a spatial element attribute that defines spatial characteristics of the visual cue; and a temporal element attribute that defines temporal characteristics of the visual cue", as taught by Lemmons, for the purpose of providing interactive presentations wherein additional information on the presented media is available to user during the presentation.

Regarding Claims 24 and 28, Bugaj teaches schedule elements with begin and end time wherein the duration is the difference between the end time and begin time of an element (section 6.1, General Semantics, line 3, & section 6.2 page 8, line 3) which meets "a method, wherein the temporal characteristics include at least two of begin time, end time, and duration".

Regarding Claims 25 and 29, Bugaj teaches an image element tagged as an XML media object element (section 6.4, Syntax) which inherently meets "a method, wherein the visual representation includes at least one of a shape and a color of the visual cue".

Claims 30-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lemmons, in view of Kaiser.

Regarding claim 30, Lemmons teaches an apparatus (figures 2-3) comprising: a display screen (36); a computer-readable storage medium for storing computer-executable process steps that cause a synchronized multimedia presentation to be displayed on the display screen (figure 6B, figure 3, label 42 (the circuitry meets

"storage medium and processor")), and for storing XML-based data for synchronizing the display of the multimedia presentation; and a processor to execute the process steps stored in the storage medium (col. 7, ll. 5-6, & 20-23); wherein the process steps comprise: receiving the XML-based data, wherein the XML-based data includes an XML-based element for a visual cue together with an XML-based element for a visual component contained in the multimedia presentation, wherein the XML-based visual cue element is nested within the XML-based element for the associated visual component, and wherein the XML-based visual cue element includes attributes that define temporal and spatial relativity between a display of the visual cue and a display of the visual component; and displaying the synchronized multimedia presentation including the visual cue superimposed together with the visual component in a temporal and spatial relationship defined by the attributes of the XMIL-based visual cue element (figure 7A, entire, & figure 8, entire).

Lemmons is silent on displaying the synchronized multimedia presentation including the visual cue superimposed over the visual component.

Kaiser teaches displaying the synchronized multimedia presentation including the visual cue superimposed over the visual component (figure 6D, label 6300, & 6600, & col. 11, ll. 20-26).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Lemmons to include displaying the synchronized multimedia presentation including the visual cue superimposed over the visual component as taught by Kaiser in order to allow users to easily recognize the

association between the interactive icon and the displayed video, thereby increasing the viewer's convenience (col. 1, ll. 49-55).

Regarding claim 31, Lemmons teaches a visual element attribute that defines a visual representation of the visual cue; a spatial element attribute that defines spatial characteristics of the visual cue (col. 9, ll. 16-22); and a temporal element attribute that defines temporal characteristics of the visual cue (figure 6B (because the elements a synchronized temporal element attribute is inherent)).

Regarding claim 32, Lemmons inherently teaches an apparatus wherein the temporal characteristics include at least two of begin time, end time, and duration (figure 6A, entire, & figure 7A, entire (because synchronization is involved there has to be control points (for example start time end time, duration)).

Regarding claim 33, Lemmons teaches an apparatus, wherein the visual representation includes at least one of a shape and a color of the visual cue (col. 9, ll. 16-22).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANTHONY BANTAMOI whose telephone number is (571)270-3581. The examiner can normally be reached on Monday - Friday 8-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Koenig can be reached on (571) 272 7296. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Anthony Bantamoi
Examiner
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Examiner, Art Unit 2423

/Andrew Y Koenig/
Supervisory Patent Examiner, Art Unit 2423